

**FOR PUBLICATION**

**UNITED STATES COURT OF  
APPEALS  
FOR THE NINTH CIRCUIT**

UNITED STATES OF AMERICA,  
*Plaintiff-Appellee,*

v.

RILEY BRIONES, JR., AKA Unknown  
Spitz,  
*Defendant-Appellant.*

No. 16-10150

D.C. No.  
2:96-cr-00464-  
DLR-4

ORDER

On Remand from the United States Supreme Court

Filed July 7, 2021

Before: Sidney R. Thomas, Chief Judge, and Susan P.  
Graber, M. Margaret McKeown, Kim McLane Wardlaw,  
Marsha S. Berzon, Milan D. Smith, Jr., Sandra S. Ikuta,  
Morgan Christen, Jacqueline H. Nguyen, Mark J. Bennett,  
and Ryan D. Nelson, Circuit Judges.

Order

**COUNSEL**

Melanie L. Bostwick and Sheila Baynes, Orrick Herrington & Sutcliffe LLP, Washington, D.C.; Easha Anand and Damilola Arowolaju, The Roderick & Solange MacArthur Justice Center, San Francisco, California; Vikki M. Liles, Law Office of Vikki M. Liles P.L.C., Phoenix, Arizona; for Defendant-Appellant.

Glenn B. McCormick, Acting United States Attorney; Krissa M. Lanham, Assistant United States Attorney; United States Attorney's Office, Phoenix, Arizona; for Plaintiff-Appellee.

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**ORDER**

The Supreme Court has remanded this case to the en banc court. *See United States v. Briones*, 2021 WL 1725145 (U.S. May 3, 2021). The case is further remanded to the three-judge panel for further consideration in light of *Jones v. Mississippi*, 141 S. Ct. 1307 (2021).